

**IN THE COURT OF  
FIRST APPELLATE DISTRICT OF  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-000000
Appellee,	:	TRIAL NO. 00000-
00000		
vs.	:	
DEFENDANT NAME,	:	
Appellant.	:	

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ON APPEAL FROM THE HAMILTON COUNTY  
[INSERT TRIAL COURT NAME]

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**BRIEF OF [insert party designation]**

**FILING PARTY NAME**

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(Name & ID #)\_\_\_\_\_

(Name & ID #) \_\_\_\_\_

(Title)\_\_\_\_\_

(Title) \_\_\_\_\_

(Address)\_\_\_\_\_

(Address) \_\_\_\_\_

(Phone # / Fax #)\_\_\_\_\_

(Phone # / Fax #) \_\_\_\_\_

**IN THE COURT OF  
FIRST APPELLATE DISTRICT OF  
HAMILTON COUNTY, OHIO**

(email) \_\_\_\_\_  
*Counsel for State of Ohio*

(email) \_\_\_\_\_  
*Counsel for Defendant*

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**II. TABLE OF AUTHORITIES**

The Table of Authorities shall list all relevant cases, statutes, and other authorities cited, in alphabetical order with references to page numbers in the brief where cited. [Loc.R.16.1(A)(2)]

**CASES**

*State v. McKelton*, 148 Ohio St.3d 261, 2016-Ohio-5735, 70 N.E.3d 508.....#  
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### **III. STATEMENT OF THE CASE**

Insert here the Statement of the Case, which shall summarize the nature of the case, the course of proceedings, and the disposition below. The statement should be followed by the statement of jurisdiction, procedural posture, and the statement of facts. [Loc.R. 16.1(A)(3)].

#### **A. STATEMENT OF JURISDICTION**

The Statement of Jurisdiction shall state that the appeal was timely filed and was taken from a final appealable order and shall contain references to the relevant parts of the record and citations to the relevant rules and citations [Loc.R. 16.1(A)(3)(a)].

#### **B. PROCEDURAL POSTURE**

The Procedural Posture shall state the relevant procedural events leading to the action of the trial court appeal and shall contain references to the relevant parts of the record [Loc.R. 16.1(A)(3)(b)].

#### **C. STATEMENT OF FACTS**

The Statement of Facts shall recite the facts relevant to the assignments of error and shall contain references to the relevant parts of the record [Loc.R. 16.1(A)(3)(c)].

#### **IV. ARGUMENT AND ASSIGNMENTS OF ERROR**

The Argument shall state the assignments of error presented for review in precisely the same manner and order in which they are stated in the Table of Contents. The Argument shall set forth, in the order indicated: assignment of error, issues presented for review, standard of review, and the body of the argument [Loc.R.16.1(A)(4)].

#### **FIRST ASSIGNMENT OF ERROR: THE TRIAL COURT ERRED [INSERT ERROR HERE]**

An assignment of error shall state how the trial court is alleged to have erred, e.g., "The trial court erred in denying the motion to suppress." An assignment of error shall not be stated as a "proposition of law" as contemplated by S.Ct.Prac.R. VI(2)(B)(4). Each assignment of error shall be followed by references to the parts of the record demonstrating the alleged error. [Loc.R. 16.1(A)(3)(a)]

#### **Issues Presented for Review: [Insert issue for review here].**

Under each assignment of error, the brief shall set forth the numbered issues presented for review. An issue presented for review may be stated in the manner of a "proposition of law" as contemplated by S.Ct.Prac.R. VI(2)(B)(4), but shall be designated as an "Issue Presented for Review." Loc.R. 16.1(A)(3)(b).

### **A. Standard of Review and Argument**

Under each numbered issue presented for review, the brief shall state the applicable standard of review. Loc.R. 16.1(A)(3)(c).

Under each numbered issue presented for review, after the statement of the applicable standard of review, the brief shall set forth the contentions relevant to the issue and the reasons supporting each contention. Each contention supporting an issue presented for review shall contain references to the relevant parts of the record and citations to the relevant legal authorities. Loc.R. 16.1(A)(3)(d).

### **V. CONCLUSION**

Consistent with App.R. 16(A)(8), the Conclusion shall briefly summarize the argument and shall precisely state the relief sought on appeal. Loc.R. 16.1(A)(4).

Respectfully submitted,

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Attorney Name or Pro Se Name  
(#####)  
Address  
Address  
Phone Number  
Fax  
E-mail  
*Counsel for* \_\_\_\_\_

## **CERTIFICATE OF SERVICE**

I certify that a copy of this **[title of document]** was sent by regular mail/e-mail to **[name and address/e-mail of party served or party's lawyer]** on **[date sent]**.

**[/s/signature]**

Proof of service should be included at the end of the brief or filed separately and should provide in the form of a certified statement by the person who served the document, specifying the person served and the date and manner of service (i.e., mail, email). Loc.R. 16.1(A)(5).



## ATTACHMENTS

**Final Order:** The appellant shall attach to the brief a copy of the final order from which the appeal is taken, along with any supporting opinion, decision, or findings of facts and conclusions of law. [Loc.R. 16.1(A)(6)].

**Other Attachments:** Attachment of materials not contained within the record is prohibited. If a party appends documents from the record, other than the final order as required by subsection (A)(6) of this Rule, the party must include a table of contents for the Appendix and provide a citation to where the document can be found in the record. [Loc.R. 16.1(E)].